

1 BILL NO. Z-74-02-26

2 ZONING MAP ORDINANCE NO. Z- Wicherson

3 AN ORDINANCE amending the City of Fort
4 Wayne Zoning Map No. FF13

5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
6 WAYNE, INDIANA:

7 SECTION 1. That the area described as follows is hereby designated
8 a B4 district under the terms of Chapter 36, Municipal Code of the City of Fort
9 Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments
10 thereof; and the symbols of the City of Fort Wayne Zoning Map No. FF13, referred
11 to therein, established by Section 9, Article III of said Chapter as amended, are
12 hereby changed accordingly, to-wit:

13 Part of the northeast quarter of Section 29, Township 31,
14 North, Range 12 East, in Allen County, Indiana, more
15 particularly described as follows:

16 Beginning at the northeast corner of the northeast quarter
17 of Section 29, Township 31 North, Range 12 East in Allen
18 County, Indiana; thence west along the north line of the
19 northeast quarter of Section 29-31-12 a distance of 1622
20 feet; thence south with a deflection to the left of 91 degrees
21 35 minutes a distance of 2169 feet to a point on the north right-
22 of-way line of Interstate Highway No. 69; thence northeast with
23 a deflection angle to the left of 141 degrees 17 minutes and
24 along the north right-of-way line of I-69, a distance of 529
25 feet to a point on the east line of the west half of the northeast
26 quarter of Section 29-31-12; thence north with a deflection
27 angle to the left of 38 degrees 38 minutes 40 seconds and
28 along the said east line, a distance of 423 feet to the southwest
29 corner of the northeast quarter of Section 29-31-12; thence
30 east with a deflection angle to the right of 90 degrees 53
31 minutes 10 seconds a distance of 326.5 feet to a point on the
32 north right-of-way line of I-69; thence northeast with a de-
33 flection angle to the left of 57 degrees 57 minutes 30 seconds
34 and along the north right-of-way line of I-69 a distance of
35 94.5 feet; thence northeast with a deflection to the right of
5 degrees 43 minutes a distance of 200 feet; thence northeast
with a deflection angle to the right of 5 degrees 43 minutes
a distance of 100.5 feet; thence northeast with a deflection
angle to the left of 5 degrees 43 minutes a distance of 600 feet;
thence northeast with a deflection angle to the left of 4 degrees
00 minutes a distance of 501.22 feet; thence northeast with a
deflection angle to the right of 4 degrees 00 minutes a distance
of 82.1 feet to the intersection of the north right-of-way line
of I-69 with the east line of the northeast quarter of Section
29-31-12; thence north with a deflection angle to the left of
38 degrees 48 minutes and along the said east line, a distance
of 46.6 feet to the point of beginning, containing 40.13 acres,
subject to road rights-of-way and easements.

36 SECTION 2. This Ordinance shall be in full force and effect from and
37 after its passage, approval by the Mayor and legal publication thereof.

38 APPROVED AS TO FORM
39 AND LEGALITY,
40 Red B. C.
41 CITY ATTORNEY

42 John H. Huchins
43 Councilman
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Date: 2/26/74

CITY CLERK

AYES _____, NAYS _____, ABSTAINED _____, ABSENT _____ to-wit:

BURNS	_____	_____	_____	_____
HINGA	_____	_____	_____	_____
KRAUS	_____	_____	_____	_____
MOSES	_____	_____	_____	_____
NUCKOLS	_____	_____	_____	_____
SCHMIDT, D.	_____	_____	_____	_____
SCHMIDT, V.	_____	_____	_____	_____
STIER	_____	_____	_____	_____
TALARICO	_____	_____	_____	_____

DATE: _____

CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana,
as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance
(Resolution) No. _____ on the _____ day of _____, 197_____.

ATTEST: (SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____
day of _____, 197_____, at the hour of _____ o'clock
_____ M., E. S. T.

CITY CLERK

Approved and signed by me this _____ day of _____, 197____,
at the hour of _____ o'clock _____ M.,E.S.T.

MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 26, 1974, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-74-02-26; and,

WHEREAS, the required notice of public hearing on such proposed ordinance was set for May 3, 1974, and public hearing to be held on May 13, 1974; and,

WHEREAS, the area known as the "Fringe Area" will be under the County Plan Commission's jurisdiction as of April 29, 1974; and,

WHEREAS, the property to be rezoned is located in the "Fringe Area";

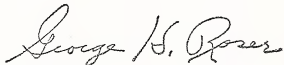
NOW THEREFORE, BE IT RESOLVED, that at their regular meeting of March 25, 1974, the City Plan Commission recommended that such proposed ordinance be withdrawn by the Petitioner, and resubmitted to the County Plan Commission;

BE IT FURTHER RESOLVED, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission by the attorney representing the petitioner;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 25, 1974.

Certified and signed this
8th day of April, 1974.



George H. Roser
Secretary

Bill No. Z-74-02-26

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No.

FF13.

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Withdraw Do PASS.

John Nuckols - Chairman

Vivian G. Schmidt - Vice-Chairman

William T. Hinga

Paul M. Burns

Donald J. Schmidt

John Nuckols
Vivian G. Schmidt
William T. Hinga
Paul M. Burns
Donald J. Schmidt

DATE 4-4-74 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

No. 257

GENERAL FUND

FT. WAYNE, IND., 1/31 1974

RECEIVED FROM Livingston, Duldine, Haynie & Joder \$ 50.00

THE SUM OF Fifty and ⁰⁰/₁₀₀ DOLLARS

ON ACCOUNT OF California & Killegas Rds

Velma Freese
AUTHORIZED SIGNATURE

PETITION TO REZONE

WE, THE UNDERSIGNED, being the owners of the real estate hereinafter described, do hereby respectfully petition the Common Council to enact an ordinance to reclassify from an R-A District to a B-4 District, the real estate described as follows, to-wit:

Part of the northeast quarter of Section 29, Township 31 North, Range 12 East, in Allen County, Indiana, more particularly described as follows:

Beginning at the northeast corner of the northeast quarter of Section 29, Township 31 North, Range 12 East, in Allen County, Indiana; thence west along the north line of the northeast quarter of Section 29-31-12 a distance of 1622 feet; thence south with a deflection to the left of 91 degrees 35 minutes a distance of 2169 feet to a point on the north right-of-way line of Interstate Highway No. 69; thence northeast with a deflection angle to the left of 141 degrees 17 minutes and along the north right-of-way line of I-69, a distance of 529 feet to a point on the east line of the west half of the northeast quarter of Section 29-31-12; thence north with a deflection angle to the left of 38 degrees 38 minutes 40 seconds and along the said east line, a distance of 423 feet to the southwest corner of the northeast quarter of the northeast quarter of Section 29-31-12; thence east with a deflection angle to the right of 90 degrees 53 minutes 10 seconds a distance of 326.5 feet to a point on the north right-of-way line of I-69; thence northeast with a deflection angle to the left of 57 degrees 57 minutes 30 seconds and along the north right-of-way line of I-69 a distance of 94.5 feet; thence northeast with a deflection to the right of 5 degrees 43 minutes a distance of 200 feet; thence northeast with a deflection angle to the right of 5 degrees 43 minutes a distance of 100.5 feet; thence northeast with a deflection angle to the left of 5 degrees 43 minutes a distance of 600 feet; thence northeast with a deflection angle to the left of 4 degrees 00 minutes a distance of 501.22 feet; thence northeast with a deflection angle to the right of 4 degrees 00 minutes a distance of 82.1 feet to the intersection of the north right-of-way line of I-69 with the east line of the northeast quarter of Section 29-31-12; thence north with a deflection angle to the left of 38 degrees 48 minutes and along the said east line, a distance of 46.6 feet to the point of beginning, containing 40.13 acres, subject to road rights-of-way and easements.

Subject property is shown on Page FF-13 of the Zoning books of the City of Fort Wayne, Indiana.

Dated: January 31, 1974

Clarence G. Stolte

(Clarence G. Stolte)

Alma M. Stolte

(Alma M. Stolte)

Z 40
8-28-48
4061334

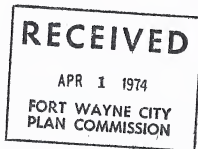
LAW OFFICES
LIVINGSTON, DILDINE, HAYNIE & YODER
LINCOLN TOWER
FORT WAYNE, INDIANA 46802

WARD E. DILDINE (1970)
GILMORE S. HAYNIE (1969)

VON E. LIVINGSTON
THOMAS W. YODER
WILLIAM P. FAGAN
MILFORD M. MILLER
NORMAN E. BAKER
CHARLES R. COGDELL
PHILIP L. CARSON
LAWRENCE A. LEVY
EDWARD L. MURPHY, JR.
C. ERIK CHICKEDANTZ
GILMORE S. HAYNIE, JR.
STEPHEN J. HARMS

AREA CODE 219
TELEPHONE
742-8341

March 29, 1974



Fort Wayne City Plan Commission
City-County Bldg.
Fort Wayne, Indiana 46802

Attention: Mr. Gary Baeten

Re: Petition to rezone property
located at the corner of
California and Hillegas Roads

Dear Mr. Baeten:

Jack Suter has suggested that those petitions to rezone real estate located in the fringe area which will not be heard prior to the date upon which the County Plan Commission will assume jurisdiction be withdrawn and re-filed with the County. Accordingly, I hereby request that a certain petition filed on January 31, 1974 on behalf of Clarence G. Stolte and Alma M. Stolte be withdrawn and that the filing fee in the amount of \$50.00 be returned forthwith.

Thanking you for your cooperation in this matter, I am,

Very truly yours,

LIVINGSTON, DILDINE, HAYNIE & YODER

By


Charles R. Cogdell

CRC:ml

DIGEST SHEET

7-74-02-28

TITLE OF ORDINANCE Zoning Map Amendment OrdinanceDEPARTMENT REQUESTING ORDINANCE City Plan CommissionSYNOPSIS OF ORDINANCE Preparation of a Zoning Map Amendment OrdinancePetition initiated by property owners to rezone property located as follows:A triangular shaped parcel of ground, containing 40.13 acres, more or less,located south of California Road, extending southwest from Hillegas Road along
the north side of I-69From "RA" to "B4"EFFECT OF PASSAGE Property is presently zoned an "RA" District - Suburban
Residential. Petitioners are requesting a "B4" Zone - Roadside Business.EFFECT OF NON-PASSAGE Property would remain suburban residentialMONEY INVOLVED (Direct Costs, Expenditures, Savings) NoneASSIGNED TO COMMITTEE (J.N.)